

O/R

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
COURTNEY GAMBLE, individually and on
behalf of all other persons similarly situated,

Plaintiff,

-against-

TML INFORMATION SERVICES, INC.,
RICHARD REGAN, and EDWARD
DARMODY, jointly and severally,

Defendants.
-----X

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ **MAY 09 2013** ★

LONG ISLAND OFFICE

Case No.: 13-cv-02142 (ADS)

STIPULATION AND TOLLING AGREEMENT

It is hereby STIPULATED AND AGREED, by and between Plaintiff Courtney Gamble ("Plaintiff") and Defendants sued herein as TML Information Services, Inc., Richard Regan and Edward Darmody ("Defendants"), through their undersigned attorneys who state that they have been authorized to enter into this Stipulation and Tolling Agreement, that any obligation on the part of Defendants to answer, move, or otherwise respond to the Complaint in this matter shall be extended until and including May 31, 2013;

It is FURTHER STIPULATED AND AGREED, by and between Plaintiff and Defendants, through their undersigned attorneys who state that they have been authorized to enter this Stipulation and Tolling Agreement, that no previous requests for an extension of the current putative deadline to respond of May 17, 2013, have been made;

It is FURTHER STIPULATED AND AGREED, by and between Plaintiff and Defendants, through their undersigned attorneys who state that they have been authorized to enter this Stipulation and Tolling Agreement, that the statute of limitations period for alleged violations of the Fair Labor Standard Act ("FLSA") set forth in the Complaint by individuals purporting to be similarly situated to Plaintiff shall hereby be deemed tolled as against

Defendants for the period beginning May 18, 2013, and ending either on May 31, 2013, or the date on which Defendants respond to Plaintiff's Complaint, whichever is earlier;

PROVIDED, further, that nothing in this Stipulation and Tolling Agreement shall be read to revive any claim under the FLSA that would have been considered untimely as of May 17, 2013, or be deemed an admission of liability or wrongdoing of any kind.

LAW OFFICE OF JUSTIN A. ZELLER, P.C.
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By:



BRANDON D. SHERR, ESQ.

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By:



NOEL P. TRIPP, ESQ.

Dated:

5/8/13

Dated: 8 May 2013

SO ORDERED on this 9th day of May, 2013

/s/ Arthur D. Spatt

United States District Judge